

BOSTON REDEVELOPMENT AUTHORITY

REPORT AND DECISION ON THE APPLICATION OF
REV. RAFE M. TAYLOR AND OTHERS FOR APPROVAL
OF A REDEVELOPMENT PROJECT AND CONSENT TO
THE FORMATION OF EBENEZER HOME, INC., PURSUANT
TO CHAPTER 121A OF THE MASSACHUSETTS GENERAL LAWS

A. The Hearing. A public hearing was held at 2:30 P. M. on Thursday, November 11, 1971, at the offices of the Boston Redevelopment Authority, (hereinafter called the "Authority"), in Room 921, City Hall, Boston, Massachusetts, by the Authority on an Application, (hereinafter called the "Application"), filed by Rev. Rafe M. Taylor, Messrs. Gerald Hill, Harold R. Thompson and Robert Hamilton, (hereinafter called the "Applicants"), for authorization and approval of an urban redevelopment project under Chapter 121A of the General Laws of the Commonwealth of Massachusetts and Chapter 652 of the Acts of 1960, as amended, (hereinafter called the "Project"), and for consent to the formation of Ebenezer Home, Inc., a non-profit corporation to be organized under the provisions of Section 3 of said Chapter 121A for the purpose of undertaking and carrying out the Project, due notice of said hearing having been given previously by publication on October 27 and November 3, 1971, in the Boston Herald Traveler, a daily newspaper of general circulation published in Boston, and mailing postage prepaid, in accordance with Rule 8 of the Rules and Regulations of the Authority for securing the approval of Chapter 121A Projects, and in accordance with the provisions of

Section 13 of Chapter 652 of the Acts of 1960, as amended. Patrick Bocanfusco, Chairman of the Authority, and Paul J. Burn, James G. Colbert, Robert L. Farrell, and Joseph J. Walsh, members of the Authority, were present throughout the hearing.

B. The Project. The Project consists of the purchase by Ebenezer Home, Inc., of land with buildings thereon in the South End Urban Renewal Area, located at 160-174 West Springfield Street, totaling eight (8) existing structures. The Project further consists of the rehabilitation, operation and maintenance by Ebenezer Home, Inc., of these structures, containing approximately thirty-two (32) dwelling units with appurtenant facilities including landscaping, and walkways. Said property is shown on a Building Survey Plan filed as Exhibit B of the Application.

C. Authority Action. In passing upon the Application, the Authority has considered the Application itself, all Documents, Plans, and Exhibits filed therewith or referred to therein, the oral evidence presented at the hearing, the Exhibits offered in evidence at the hearing, and the arguments and statements made at the hearing.

D. The Project Area. The Project, as defined in the Application, constitutes a "Project" within the meaning of said Chapter 121A, Section 1, of the General Laws, providing, as it does, for the rehabilitation, operation and maintenance of decent, safe and sanitary

residential buildings in part of a larger area which was previously declared to be a substandard and decadent area under Chapter 121B of the General Laws by the Authority on September 23, 1965. This finding was concurred in by the Boston City Council in its Resolution approving the South End Urban Renewal Plan, and by the Department of Community Development.

Conditions exist which warrant the carrying out of the Project in accordance with the provisions of Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960. As stated above, the 121A Project Area is included within a larger area which the Authority has already found to be substandard and decadent under the provisions of Chapter 121B and has been or will be acquired by private purchase. The purpose of Chapter 121A and Chapter 652 of the Acts of 1960, as amended, will be met by the carrying out of the Project as it will provide desirable housing accommodations for low and moderate income families, of which there is a serious shortage in the City of Boston and in the South End Urban Renewal Area.

E. Cost of the Project. In the opinion of the Authority, the cost of the Project has been realistically estimated in the Application and the Project is practicable. The Applicants have received a mortgage commitment from the Massachusetts Housing Finance Agency in the amount of Five Hundred Forty Five Thousand Six Hundred Twenty (\$545,620.00) Dollars and have further sought mortgage subsidy funds under

Section 236 of the National Housing Act. An allocation of subsidy funds has been made by MHFA for this Project. No additional funds will be required in addition to those obtained from the Massachusetts Housing Finance Agency since the mortgage is a one hundred (100%) percent mortgage loan at below-market interest rates; in addition, at least twenty-five (25%) percent of the dwelling units will receive rent supplement assistance payments under the Housing Act of 1965 from the Department of Housing and Urban Development.

F. Master Plan. The Project does not conflict with the Master Plan of the City of Boston. In Resolutions adopted by the Authority on September 23, 1965, approving the South End Urban Renewal Plan, it was found and determined that such Urban Renewal Plan conforms to the Master Plan, as amended, for the locality. The Project, in turn, conforms to the South End Urban Renewal Plan, as amended.

G. Effect of the Project. The Project will not be in any way be detrimental to the best interests of the public or the public safety or convenience or be inconsistent with the most suitable development of the City. The Project will, in fact, promote the best interests of the City and will constitute a public use and benefit. The structures to be rehabilitated are presently decadent, unsafe, and unsanitary. When rehabilitated according to the Application, these buildings will be decent, safe and attractive, which, together with

appropriate landscaped areas and walkways, will enhance the general appearance of the Project Area and furnish necessary accommodations for families and individuals of low and moderate income. The Project will, further, by increasing the value of these structures, increase the tax base of the City. Although the 121A Corporation will legally be tax-exempt, by agreeing to make payments in lieu of taxes the Project will increase the City's income from these properties.

Exhibit E sets forth the amounts which the Partnership proposes to pay by agreement to the City of Boston, in addition to the excise prescribed by Section 10 of Chapter 121A.

The carrying out of the Project will not involve the destruction of buildings occupied in whole or in part. The Application, rather, calls for the rehabilitation of these structures. All of the families resident in the Project Area will be satisfactorily relocated in accordance with the South End Urban Renewal Plan and the applicable regulations of the Department of Housing and Urban Development. The project will provide approximately thirty-two (32) rehabilitated dwelling units within the Project Area.

The Project Area does not include land within any location approved by the State Department of Public Works for the extension of the Massachusetts Turnpike into the City of Boston, or for any other highway construction.

H. Minimum Standards. The minimum standards for financing, construction work, maintenance, and management of the Project as set forth in Exhibit D filed with and attached to the Application, are hereby adopted and imposed as Rules and Regulations (in addition to those hereinafter adopted and imposed) applicable to the Project for the same period as the Project is subject to the provisions of Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, as amended. The Authority hereby approves any financing made pursuant to Paragraph 8 of the Application where the mortgage is held by the Massachusetts Housing Finance Agency.

The carrying out of the Project will not require the erection, maintenance, and use of a garage within five hundred (500') feet of one or more buildings occupied in whole or in part as a public or private school having more than fifty (50) pupils, or as a public or private hospital having more than twenty-five (25) beds, or as a church.

The Application contains no request that the Authority declare the units separate buildings for the purposes of Chapter 138 of the General Laws.

I. Deviations. Exhibit C filed with and attached to the Application, sets forth requests for the Project to deviate from Zoning, Building and other Regulations in effect in the City of Boston.

The Authority is satisfied, by reliable and generally accepted tests, or by experience in other cities, and on other projects, that the designs, construction, materials, apparatus, equipment or methods specified in the Application and supporting documents, and in the evidence presented at the hearing, will sufficiently satisfy the purpose for which it or they are to be used and the purposes of the applicable laws, codes, ordinances, or regulations, respectively. The Authority further takes note of the fact that the Project involves rehabilitation of structures which were originally constructed prior to the adoption of the current Zoning, Building and other Codes and Regulations of the City of Boston, and which for that reason may not conform in all respects to the aforesaid Codes and Regulations. The Authority further takes note of the fact that more than adequate and sufficient on-street parking is available along West Springfield Street to accommodate the automobile parking requirements of the individuals and families residing in the rehabilitated housing since no other residential structures presently front on West Springfield Street. The Authority therefore grants permission hereby for the Project to deviate from those Codes and Regulations of the City of Boston in accordance with Schedule A, attached hereto and made a part of this report.

The Authority hereby finds that the Application and the Project conform to and comply with each and every applicable requirement of Chapter 121A of the General Laws, Chapter 652 of the Acts of 1960, as amended, and the applicable Rules and Regulations of the Authority; and the Authority for these reasons and for the reasons set forth in the Application and the supporting documents, and the evidence presented at the hearing, and in this Report, hereby approves the Project and consents to the formation of Ebenezer Home, Inc., as requested in the Application and consents to the filing of the Articles of Organization for such corporation, substantially in the form annexed to said Application.

SCHEDULE A

RE: APPLICATION BY REV. RAFE M. TAYLOR
AND OTHERS TO BOSTON REDEVELOPMENT AUTHORITY

DATED OCTOBER 6, 1971

Statement of Permission Required for Project to Deviate
from Zoning and Other Laws

The following is a statement of all permissions which so far as known to the applicants will be required for the Project to deviate from zoning, building, health and fire laws, codes, ordinances and regulations in effect in the City of Boston.

A. Properties at 160, 162, 164, 166, 168, 170, 172 and 174 West Springfield Street.

I. Zoning Variances:

Article 8 Regulation of Use

Permission to convert each dwelling structure to more families under Use Item 8 in order to permit four family occupancy in each building.

Buildings 160, 164 and 172 now classified as four family occupancy. Building 162 classified as lodging house, building 170 as three family occupancy, and all others no current occupancy classification.

GRANTED

Article 15 Building Bulk

Permission to waive requirement limiting floor area ratio in an H2 district to 2.0 and permit an increase in the floor area ratio to 2.15.

GRANTED

Article 18 Front Yards

Permission to waive all requirements of front yards.

A variance is not required under Section 13-3, for existing buildings which presently violate the minimum setback requirement.

WITHDRAWN

Article 20 Rear Yards

Permission to waive all requirements for minimum rear yards.

Minimum rear yard allowed is 11'-0"; all rear yards are 44'-0" deep and will be retained; no variance is required. WITHDRAWN

Article 21 Parapet

Permission to waive all requirements for the minimum setback of a parapet.

Variance not required under Section 13-3, for existing buildings.

WITHDRAWN

Article 22 Yard Regulations

Permission to waive all yard regulation requirements.

Variance not required; maximum use of rear yard allowable is 30%, whereas actual use of rear yard is 0%. WITHDRAWN

Article 23 Off-Street Parking

Permission to waive all requirements for off-street parking.

Adequate on-street parking is available for all of the occupant families.

GRANTED

Article II Signs

Permission to waive all regulations with respect to size, kind and location of signs in a residential district.

Variance not required; there are to be no signs in the Project after completion of construction.

WITHDRAWN

II. Building Law:

Section 316.2.1 Permission to waive requirement that, "windows shall have a height when open of at least forty-eight (48) inches and a width of at least thirty-six (36) inches".

Existing windows are to be retained, and conform to required height, but width of the existing windows is thirty-three (33) inches.

GRANTED

Section 603.6. Permission to waive the requirement that, "at least one (1) primary entrance (shall be) accessible to and usable by individuals in wheelchairs".

All primary entrances have existing stairs which will be retained with eight (8) risers without adequate width or length for ramp to be constructed.

GRANTED

Section 610.2.1 table 6-3 Permission to waive requirement that the minimum corridor width be thirty-six (36) inches.

Existing width of the corridor in the stairwell is to be retained which will be at its narrowest point thirty (3) inches wide.

GRANTED

Section 612.7.2 Permission to waive requirement that egress balconies to be "constructed as required for exterior corridors," i.e., roofed and with solid drained floors.

Existing egress for seven (7) of the eight (8) buildings is connecting fire balconies in disrepair. These will be replaced

by new connecting fire balconies linking the eight (8) buildings in pairs as detailed on drawing A-5 and shown on rear elevation drawing A-4 Exhibit H. Balconies conform to Massachusetts Department of Public Safety. Specifications for Class 1 fire escape balconies construction.

GRANTED

Section 612.7.3 Permission to waive requirement that "the dwelling units served by balconies shall be separated from each other by construction having at least a two (2) hour fire resistance rating. Such separation shall extend at least three (3) feet beyond the outer face of the exterior wall of the building".

Two (2) hour fire resistance rated separation does exist but does not extend beyond the outer face of the exterior wall of the existing buildings.

GRANTED

Section 612.7.4. Permission to waive the requirement that "Access from dwelling units to the balconies shall be through doors having glass panels at least two (2) feet wide and four (4) feet high, without muntins, screens, or other obstructions to hinder entry by breaking the glass panels".

Access to balconies shall be through existing windows having an opening of approximately thirty-three (33) inches wide and sixty-six (66) inches high.

GRANTED

Section 618.2.1a. Permission to waive the requirement that a "Stairway be a minimum of thirty-six (36) inches wide".

Existing stairway to be retained has a minimum dimension of thirty (30) inches.

GRANTED

Section 618.3.1. Permission to waive the requirement that "The least dimension of landings and platforms perpendicular to the direction of travel shall not be less than the required width of the stairways".

The least dimension of existing landings and platforms equals the least dimension of the existing stairways; both are thirty (30) inches rather than the required minimum of thirty-six (36) inches.

GRANTED

Section 618.4.2. Permission to waive the requirement that "No winders shall be permitted in required exitway stairways".

Existing stairway to be retained has winders.
[A winder is a bend in the staircase.]

GRANTED

Section 618.5. Permission to waive the requirement that "all stairways shall have continuous guards and handrails on both sides".

Existing handrail on well side is adequate for all stairs.

GRANTED

Section 618.3.2. Permission to waive the requirement that "no stairway shall have more than fifteen (15) ... risers between landings".

Existing stairway to be retained has seventeen (17) risers between the first and second floors.

GRANTED

Section 618.9. Permission to waive the requirement that "all required interior stairways shall be built entirely of non-combustible materials".

Existing stairway to remain of wood construction, underside to be wire lath and plaster, stairwell to have two (2) layers of 5/8" firecode sheetrock in order to provide appropriate fire protection.

GRANTED

Section 626.0. Permission to waive the requirement that "lighted exitway signs required at the head of all required exit doors".

All apartment doors open immediately upon required exitways; signs are unnecessary.

GRANTED

Section 1115.6. Permission to waive requirement that "Boiler rooms shall not be located immediately below exitways".

Only available free space for boiler room in each building is beneath exitway; walls and ceiling to have two (2) layers of 5/8" firecode sheetrock in order to provide appropriate fire protection.

GRANTED

MEMORANDUM

DECEMBER 16, 1971

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: SOUTH END URBAN RENEWAL AREA PROJECT NO. MASS. R-56
REPORT AND DECISION ON CHAPTER 121A APPLICATION BY
REV. RAFE M. TAYLOR AND OTHERS
160-174 W. SPRINGFIELD STREET

*2061
12/16*

Summary: This memorandum requests that the Authority adopt the Report and Decision approving the redevelopment project and consenting to the formation of Ebenezer Home, Inc., as proposed in the Application of Rev. Rafe M. Taylor and Others.

A public hearing on the Application of Rev. Rafe M. Taylor and Others was held by the Authority on November 11, 1971. As indicated by the Applicants at the hearing and as stated in the Application, this proposal calls for the rehabilitation of eight (8) existing buildings located in the South End Urban Renewal Area which are to be purchased privately by the redevelopment corporation. The project will create a total of 32 dwelling units for low-moderate income tenants, most of which are expected to be elderly.

A commitment for construction and permanent financing, together with Section 236 interest subsidy funds, has been issued by the Massachusetts Housing Finance Agency. An initial closing and construction start is anticipated early in 1972.

The 121A Application has been examined and found to contain sufficient evidence in support of the proposed project to permit the Authority to proceed with the adoption of the attached Report and Decision approving the Project and consenting to the formation of the non-profit corporation.

It is therefore recommended that, pursuant to Chapter 121A of the General Laws, the Authority adopt the Report and Decision approving the Project and consenting to the formation of Ebenezer Home, Inc.

An appropriate Vote is attached.

Attachment